**Brussels/Luxembourg, October 2018**

**2020 *ex-ante* contributions to the SRF**

**Sign-off form**

# Additional Assurance

The SRB Executive Session of the Board took the following preparatory decision regarding the additional assurance on data to be used in the calculation of 2020 ex-ante contributions:

In order to enhance the comparability of the reported information and the effectiveness of processing the information received, some institutions are requested to provide additional assurance on data to be used in the calculation of 2020 *ex-ante* contributions.

* **Scope of institutions:** additional assurance is requested from all contributing institutions that are part of a group that falls under direct ECB supervision, unless it is subject to the lump-sum payment;
* **Sign-off vs. Agreed-Upon Procedures (“AUP”):** institutions falling in the scope are left with a choice to opt for confirmation by an auditor on the specific data (*i.e.* AUP) or a sign-off by the executive body on the full template;
* **Scope of AUP:** the scope of the AUP includes covered deposits (as a deduction), derivative adjustment and intragroup, IPS and promotional loans deductions;
* **Discretion of NRAs:** To the extent that NRAs are left with a discretion to extend the scope of institutions and the data covered by the AUP, NRAs should inform the SRB if such discretion is used.

In the Annex below, a template is provided in case an institution is opting for a Sign-off, which ensures that the same harmonised approach is taken in all jurisdictions concerned.

Institutions shall submit this template to the CSSF by 17 February 2020. The CSSF remains the depository of this document, but shall provide it to the SRB upon request.

# Sign-off

The Annex attached presents the template for the Form (‘Sign-off Form’) that institutions shall use in case they for the sign-off option, instead of the AUP.

The Sign-off form should be duly signed by at least one director authorised by the CSSF.

**ANNEX – Template for the Sign-off Form**

To: {Name of the NRA}

{Name of the contact person}

{Department}

{Address}

**Sign-off Form**

Subject: **Data for the calculation of 2020 *ex-ante* contributions to the Single Resolution Fund**

|  |  |
| --- | --- |
| Name of the institution: | [Name] |
| Monetary Financial Identifier (MFI): | [YYXXXXXXXX] |
| For Report: | SRF 2020 Ex-ante Contributions Reporting Form (“2020 Reporting Form”) |
| Submission date of the Report: | [date i.e. dd/mm/yyyy] |
| Name of the representative of the management body[[1]](#footnote-1) who has validated the report | [name] |
| Position within the institution | [position] |

**I have reviewed and approved the final version of the above mentioned 2020 Reporting Form and certify, that the information in the 2020 Reporting Form has been submitted in accordance with the instructions set out therein and other technical guidance provided by the Single Resolution Board or National Resolution Authority, in particular:**

As regards general activities:

|  |  |
| --- | --- |
| I certify that necessary procedures and controls were put in place, in order to ensure that the extracted and reported data is accordance with the instructions in the 2020 Reporting Form and other technical guidance provided by the Single Resolution Board or National Resolution Authority**.** | □ Yes  □ No  □ N/A |

As regards covered deposits (data field “2A3” in the 2020 Reporting Form):

|  |  |
| --- | --- |
| I certify that the legal framework used in identifying deposits for field “2A3” in 2020 Reporting Form is in line with the definition of ‘covered deposits’ as defined in Article 3(10) of the Commission Delegated Regulation (EU) 2015/63 (i.e. “‘covered deposits’ means the deposits referred to in Article 6(1) of Directive 2014/49/EU, excluding temporary high balances as defined in Article 6(2) of that Directive.”). | □ Yes  □ No  □ N/A |

As regards derivative adjustments:

|  |  |
| --- | --- |
| I certify that the legal framework used in identifying derivatives for the 2020 Reporting Form, in general, and particularly for fields “2C1”, “2C2” and “2C3” is in line with the definition of ‘derivatives’ as defined in Article 3(22) of the Commission Delegated Regulation (EU) 2015/63 (i.e. “’derivatives’ mean derivatives according to Annex II of Regulation (EU) 575/2013” therefore excluding credit derivatives); | □ Yes  □ No  □ N/A |
| I certify that when identifying the netting agreements in order to report field “2C1” in 2020 Reporting form, only those agreement that have been recognised by competent authorities in accordance with Article 295 CRR (Regulation (EU) No 575/2013) at the reference dates were considered; | □ Yes  □ No  □ N/A |
| I certify that all liabilities arising from derivative contracts (excluding credit derivatives) in field “2C1” of the 2020 Reporting Form were valued in accordance with the leverage ratio methodology in accordance with Article 429 of CRR (Regulation (EU) No 575/2013) at the reference dates. | □ Yes  □ No  □ N/A |

As regards promotional loans:

|  |  |
| --- | --- |
| *Only if an institution applied for the deduction of promotional loans in “Section D” of Deductions tab in the 2020 Reporting Form as ‘promotional bank’*: I certify that our undertaking or entity was set up by a Member State, central or regional government and that the before mentioned central or regional government has an obligation to protect the economic basis of our undertaking or entity and maintain its viability throughout its lifetime, or directly or indirectly guarantees at least 90% of the original funding of the undertaking or entity; | □ Yes  □ No  □ N/A |
| *Only if an institution applied for the deduction of promotional loans in “Section D” of Deductions tab in the 2020 Reporting Form as ‘intermediary institution’*: I certify that that the promotional loans reported in field “3D5” of the 2020 Reporting Form are not provided as credit to the final customer | □ Yes  □ No  □ N/A |
| I certify that the following rule has been implemented when reporting field “3D5” of the 2020 Reporting Form: in accordance with Article 5(1)(f) of the Commission Delegated Regulation (EU) 2015/63, 1 EUR of liability in field “3D5” is matched with 1 EUR of promotional loans received (from promotional bank); | □ Yes  □ No  □ N/A |
| I certify that loans that match liabilities reported in field “3D5” of 2020 Reporting Form, fulfil the following conditions:   * + granted on a non-competitive basis;   + granted on a not for profit basis; and   + promote the public policy objectives of the central or regional government. | □ Yes  □ No  □ N/A |

As regards IPS deduction:

|  |  |
| --- | --- |
| I certify that only the entities that comply with the conditions specified in Article 5(1)(b) of Commission Delegated Regulation (EU) 2015/63 on the relevant reference date were considered for IPS deduction in “Section E” of Deductions tab in the 2020 Reporting Form. The aforementioned conditions are:   1. If liabilities have been created by an institution, which is member of an IPS as referred to in point (8) of Article 2(1) of Directive 2014/59/EU; and 2. Which has been allowed by the competent authority to apply Article 113(7) of Regulation (EU) No 575/2013, through an agreement entered into with another institution which is member of the same IPS; | □ Yes  □ No  □ N/A |
| I certify that the confirmation from the counterparty or appropriate reporting line (e.g. the IPS) on the liabilities and assets that have been reporting the 2020 Reporting Form has been obtained; | □ Yes  □ No  □ N/A |
| I certify that the following rule has been implemented when filling field “3E10” in the 2020 Reporting Form:   * Verification at which value it is booked as a liability by the group counterpart. In case of mismatch, the value booked by the group counterpart as a liability prevails; and * When applicable, application of the leverage ratio methodology and verification whether it matches the leverage value after floor calculated by the group counterpart. In case of mismatch, the value calculated by the group counterpart as a liability prevails | □ Yes  □ No  □ N/A |

As regards intragroup deduction:

|  |  |
| --- | --- |
| I certify that only the entities that comply with the three conditions specified in Article 5(1)(a) of Commission Delegated Regulation (EU) 2015/63 on the relevant reference date were considered for intragroup deduction in “Section E” of Deductions tab in the 2020 Reporting Form. The aforementioned conditions are:   1. Each institution is established in the Union; 2. Each institution is included in the same consolidated supervision in accordance with Articles 6 to 17 of Regulation (EU) No 575/2013 on a full basis and is subject to an appropriate centralised risk evaluation, measurement and control procedures; and 3. There is no current or foreseen material practical or legal impediment to the prompt repayment of the liability when due; | □ Yes  □ No  □ N/A |
| I certify that institutions which are part of the same group and are established in an EEA-EFTA country are not considered for intragroup deduction until the Bank Recovery and Resolution Directive 2014/59/EU has been incorporated into the EEA Agreement; | □ Yes  □ No  □ N/A |
| I certify that the confirmation from the counterparty or appropriate reporting line (e.g. parent company) on the liabilities and assets that have been reporting the 2020 Reporting Form has been obtained | □ Yes  □ No  □ N/A |
| I certify that the following rule has been documented and implemented when filling field “3F10” in the 2020 Reporting Form:   * Verification at which value it is booked as a liability by the group counterpart. In case of mismatch, the value booked by the group counterpart as a liability prevails; and * When applicable, application of the leverage ratio methodology and verification whether it matches the leverage value after floor calculated by the group counterpart. In case of mismatch, the value calculated by the group counterpart as a liability prevails. | □ Yes  □ No  □ N/A |
| {Additional comments here, if any} | □ Yes  □ No  □ N/A |

The Institution

[Name of the institution]

Duly represented by:

Signature:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name:

Title:

Date:

1. As referred to in Article 88 of the Capital Requirements Directive 2013/36/EU. [↑](#footnote-ref-1)